

required to be filed with the Chief Electoral Officer under section 11.6;

**(4) Section 5 is amended by adding the following after subsection (3):**

(4) A registered successor party shall, within 30 days after receiving a written request from the Chief Electoral Officer or within an extended period that the Chief Electoral Officer may determine, provide any information with respect to the financial affairs of the registered successor party, any of its predecessor parties or a constituency association of any of its predecessor parties that is reasonably required by the Chief Electoral Officer in the course of the Chief Electoral Officer's duties under this Act.

**(5) Section 5.2 is amended**

- (a) in subsection (1) by striking out "is or was employed by the Office of the Election Commissioner" and substituting "was employed by the Office of the Election Commissioner";
- (b) in subsection (3) by striking out "Election Commissioner's website" and substituting "Chief Electoral Officer's website".

*statements required to be filed with the Chief Electoral Officer under section 42:*

(4) Section 5(3) presently reads:

*(3) A registered party, registered constituency association, registered candidate, registered nomination contestant, registered leadership contestant or registered third party shall, within 30 days after receiving a written request from the Chief Electoral Officer or within an extended period that the Chief Electoral Officer may determine, provide any information with respect to the financial affairs of the registered party, registered constituency association, registered candidate, registered nomination contestant, registered leadership contestant or registered third party that is reasonably required by the Chief Electoral Officer in the course of the Chief Electoral Officer's duties under this Act.*

(5) Section 5.2 presently reads in part:

*5.2(1) Except as provided in subsections (2) and (3), the Chief Electoral Officer, the Election Commissioner, any former Chief Electoral Officer, any former Election Commissioner, every person who is or was employed or engaged by the Office of the Chief Electoral Officer to carry out the duties of the Chief Electoral Officer and every person who is or was employed by the Office of the Election Commissioner to carry out the duties of an Election Commissioner shall maintain the confidentiality of all information, complaints and allegations that come to their knowledge.*

*(3) Findings and decisions, and any additional information that the Election Commissioner considers to be appropriate, shall be published on the Election Commissioner's website in the following circumstances:*

- (a) subject to section 51.02(2), if an administrative penalty is imposed or a letter of reprimand is issued under section 51 or 51.01;*
- (b) if the Election Commissioner has provided notice under section 44.97(4) and receives a written request for disclosure from a person or organization who received the notice.*

**(6) Section 6 is amended**

**(a) by adding the following after subsection (3):**

**(3.1)** Despite subsection (3), the Chief Electoral Officer may register a successor party if the Chief Electoral Officer is satisfied that prior to filing an application for registration as a registered successor party, the party has

- (a) established a new foundation for the successor party, or
- (b) continued a foundation of a predecessor party of the successor party as the foundation of the successor party.

**(b) in subsection (4) by adding “or established or continued under subsection (3.1)” after “subsection (3)”.**

**(7) Section 7(3) is amended by striking out “or” at the end of clause (a.1) and adding the following after clause (a.1):**

(a.2) other than in relation to the registration of a successor party, the proposed name was the name of any registered predecessor party or so nearly resembles the name or the abbreviation of the name of any registered predecessor party as to be likely to be confused with the name or the abbreviation of the name of that registered predecessor party, or

**(8) Section 10 is amended**

**(a) by adding the following after subsection (1.1):**

**(1.2)** For the purposes of subsection (1.1), a registered successor party is deemed to have endorsed a candidate in a general election if a registered predecessor party of the registered successor party endorsed a candidate in the general election.

(6) Section 6 presently reads in part:

*(3) A political party shall not be registered under this Act unless the Chief Electoral Officer is satisfied that prior to filing an application for registration the party has established a non-profit corporation or trust as a foundation for the purposes of receiving and managing the assets, except the premises, equipment, supplies and other such property required for the administration of the affairs of the party, held by the political party immediately prior to filing the application.*

*(4) The assets of a foundation established under subsection (3) shall consist of funds, not exceeding \$5000, either on deposit with a financial institution or invested in accordance with the Trustee Act.*

(7) Section 7(3) presently reads:

*(3) The Chief Electoral Officer shall not register a political party if, in the Chief Electoral Officer's opinion,*

*(a) the name or the abbreviation of the name of the applying party so nearly resembles the name or abbreviation of the name of a registered party as to be likely to be confused with the name or abbreviation of that registered party,*

*(a.1) the proposed name was the name of a registered political party whose registration was cancelled or whose name was changed since the last general election, or*

*(b) the proposed name or abbreviation is unacceptable to the Chief Electoral Officer for any other reason.*

(8) Section 10 presently reads in part:

*(1.1) If a registered party does not endorse a candidate in a general election, the Chief Electoral Officer shall cancel the registration of that party unless that registered party had endorsed a candidate at the most recent election under the Alberta Senate Election Act.*

*(3) If the chief financial officer of a registered party or registered constituency association fails to comply with section 32, 42 or 43, the Chief Electoral Officer may cancel the registration of the registered party or constituency association, as the case may be.*

**(b) by adding the following after subsection (3):**

**(3.1)** If the chief financial officer of a registered successor party fails to comply with section 11.6, the Chief Electoral Officer may cancel the registration of the registered successor party.

**(c) by adding the following after subsection (11):**

**(11.01)** When the registration of a registered successor party is cancelled under subsection (3.1) for failure to comply with section 11.6, the successor party may not apply for registration again until the financial statements required by section 11.6 that were not filed have been filed with the Chief Electoral Officer and the late filing fee has been paid in accordance with section 43.2.

**(d) by adding the following after subsection (12):**

**(12.1)** Subsection (12) does not apply to the funds of a constituency association referred to in section 11.4(1)(a) and (2).

**(9) Section 10.1 is amended by renumbering it as section 10.1(1) and adding the following after subsection (1):**

**(2)** On the registration of a successor party,

- (a)** the records of its predecessor parties become the records of the registered successor party, and
- (b)** the records of the constituency associations of its predecessor parties become the records of the registered successor party

and the registered successor party shall retain all records for a period of 3 years following the date on which the financial statements, returns or reports required under this Act for the period to which the records relate are required to be filed.

*(11) When the registration of a political party or constituency association is cancelled under subsection (3) for failure to comply with section 42 or 43, it may not again apply for registration until the financial statements required by section 42 or the campaign return required by section 43, as the case may be, that was not filed has been filed with the Chief Electoral Officer and the late filing fee has been paid in accordance with section 43.2.*

*(12) When the registration of a political party, constituency association, candidate, nomination contestant or leadership contestant is cancelled, all funds of the political party, constituency association, candidate, nomination contestant or leadership contestant not required to pay the outstanding debts of the political party, constituency association, candidate, nomination contestant or leadership contestant shall be paid over to the Chief Electoral Officer and held by the Chief Electoral Officer in trust for the political party, constituency association, candidate, nomination contestant or leadership contestant and, if that political party, constituency association, candidate, nomination contestant or leadership contestant does not again become registered under this Act within a period of one year following cancellation of the registration, the funds shall be paid into the General Revenue Fund.*

(9) Section 10.1 presently reads:

*10.1 A registered party, registered constituency association, registered candidate, registered nomination contestant, registered leadership contestant and registered third party shall retain all of the records of that registered party, registered constituency association, registered candidate, registered nomination contestant, registered leadership contestant or registered third party for a period of 3 years following the date on which the financial statements, returns or reports required under this Act for the period to which the records relate are required to be filed.*

(10) The following is added after section 11:

**Part 2.1  
Registration of  
Successor Party**

**Application for registration of successor party**

**11.1(1)** A successor party may, at any time other than during the campaign period for a general election, apply to the Chief Electoral Officer for registration under section 7.

(2) An application for registration of a successor party must be filed with the Chief Electoral Officer in accordance with section 7(1) and must also

- (a) be signed by the leader and one principal officer of each of the registered predecessor parties of the successor party, and
- (b) be accompanied by resolutions approving the merger passed by each of the registered predecessor parties of the successor party.

**Registration for eligible successor parties**

**11.2(1)** For the purposes of section 7(2), a successor party is not entitled to be registered if

- (a) the successor party is not eligible for registration under this Act, or
- (b) a registered predecessor party of the successor party has not discharged its obligations under this Act, including obligations to file financial statements and campaign returns and to maintain valid and up-to-date information respecting registration.

(2) A successor party may be registered under the name of one of its registered predecessor parties.

**Effect of registration of successor party**

**11.3** On the registration of a successor party,

- (a) the registered successor party is the successor of each of its predecessor parties,

(10) Part 2.1, Registration of Successor Party.



- (b) the registered successor party becomes a registered party,
- (c) the registration of each registered predecessor party is cancelled, and
- (d) the registered successor party is responsible for the obligations of its predecessor parties and the constituency associations of its predecessor parties to file financial statements and campaign returns for any period before the registration of the registered successor party.

#### **Constituency associations**

**11.4(1)** Despite section 10(10), a registered successor party shall, in respect of each electoral division in which a constituency association was registered by a registered predecessor party, apply to the Chief Electoral Officer under section 8 to register as the constituency association of the registered successor party,

- (a) a constituency association of a predecessor party, or
- (b) a new constituency association.

**(2)** The registered successor party shall apply to the Chief Electoral Officer under section 10 for cancellation of the registration of the constituency associations of its predecessor parties that are not to be registered as constituency associations of the registered successor party.

#### **Transfers**

**11.5(1)** Despite anything to the contrary in this Act, a registered predecessor party may transfer funds or real property, or the use of real property, to its successor party after the successor party has filed with the Chief Electoral Officer an application for registration as a registered successor party.

**(2)** Despite section 6(5), the funds held by a foundation established by a registered predecessor party may be transferred to the foundation established or continued by its successor party in accordance with the following conditions:

- (a) the assets of the foundation established or continued by the successor party shall not exceed \$5000;
- (b) any funds remaining in the foundation established by the registered predecessor party that would cause the assets of



the foundation established or continued by the successor party to exceed \$5000 shall be transferred to the registered successor party.

(3) A constituency association referred to in section 11.4(2) and the chief financial officer of such a constituency association shall transfer the following to the registered successor party within 6 months after the registration of the successor party:

- (a) all funds not required to pay the outstanding debts of the constituency association;
- (b) the real property, or the use of the real property, of the constituency association.

(4) A transfer under this section

- (a) shall be recorded as to source and amount, and any funds transferred shall be deposited in an appropriate account on record with the Chief Electoral Officer, and
- (b) is not a contribution for the purposes of this Act.

#### **Financial statements**

**11.6** Within 6 months after the registration of a successor party, the chief financial officer of the registered successor party shall file with the Chief Electoral Officer

- (a) in respect of each of its registered predecessor parties, the documents referred to in section 42(1)(a) for
  - (i) the portion of the year that ends on the day before the date of the registration of the successor party, and
  - (ii) any earlier year for which those documents have not been provided,
- (b) in respect of each of the constituency associations of each of its registered predecessor parties, the documents referred to in section 42(1)(b) for
  - (i) the portion of the year that ends on the day before the date of the registration of the successor party, and



- (ii) any earlier year for which those documents have not been provided,

and

- (c) in respect of the registered successor party, an audited financial statement, in the form and manner approved by the Chief Electoral Officer, setting out the assets and liabilities, including any surplus or deficit, at the date of the registration of the successor party.

**(11) Section 12 is amended**

- (a) in subsection (3) by striking out “or” at the end of clause (c) and adding the following after clause (c):**

- (c.1) the registered successor party or the registered constituency associations or registered candidates of the registered successor party, if the candidate’s registration was proposed or supported by a registered predecessor party of the registered successor party at the previous election, or

- (b) in subsection (4) by striking out “or” at the end of clause (b), adding “or” at the end of clause (c) and adding the following after clause (c):**

- (d) the registered successor party or the registered constituency associations or registered candidates of the registered successor party, if the candidate’s registration was proposed or supported by a registered predecessor party of the registered successor party at the previous election,

(11) Section 12 presently reads in part:

*(3) Funds held in trust under subsection (1) may, at the option of the candidate, be transferred or paid from time to time to*

- (a) the registered party that proposed or supported the candidate's registration at the previous election,*
- (b) the registered constituency associations of the registered party that proposed or supported the candidate's registration at the previous election,*
- (c) the registered candidates of the registered party that proposed or supported the candidate's registration at the previous election, or*
- (d) the Crown in right of Alberta if the funds cannot be transferred in accordance with clause (a), (b) or (c).*

*(4) If a candidate is not nominated or does not declare the candidate's candidacy as an independent candidate for the next election, the candidate shall, not later than 7 days after the day fixed for nominations, transfer or pay the amount held by the candidate in trust pursuant to subsection (1) to*

- (a) the registered party that proposed or supported the candidate's registration at the previous election,*
- (b) the registered constituency associations of the registered party that proposed or supported the candidate's registration at the previous election, or*
- (c) the registered candidates of the registered party that proposed or supported the candidate's registration at the previous election,*

**(12) The following is added after section 21.1:**

**Contributions to predecessor party**

**21.2(1)** Any contribution made to a predecessor party after the registration of its successor party as a successor party must not be used or expended, and the registered successor party of the predecessor party

- (a) shall return the contribution to the contributor if the contributor's identity can be established, or
- (b) shall pay to the Chief Electoral Officer an amount equivalent to the contribution if the contributor's identity cannot be established.

**(2)** Any amounts received by the Chief Electoral Officer under subsection (1)(b) must be paid into the General Revenue Fund.

**(13) Section 43.2 is amended**

**(a) in subsection (1) by striking out "section 42" and substituting "section 11.6 or 42";**

**(b) by adding the following after subsection (2):**

**(2.1)** A registered successor party that is required to file a financial statement under section 11.6 and fails to file that document by the filing deadline must pay a late filing fee of \$500 to the Chief Electoral Officer.

**(c) in subsection (3)**

**(i) by adding ", registered successor party" after "the registered party";**

**(ii) by striking out "section 42" and substituting "section 11.6 or 42";**

**(d) in subsection (5)**

**(i) by adding "or (2.1)" after "subsection (2)";**

*at the option of the candidate, or to the Crown in right of Alberta if the funds cannot be transferred in accordance with clause (a), (b) or (c).*

(12) Contributions to predecessor party.

(13) Section 43.2 presently reads in part:

*43.2(1) In this section, "filing deadline" means the day by which a financial statement referred to in section 42 is required to be filed with the Chief Electoral Officer or the date by which a return referred to in section 43, 43.01, 43.02 or 43.1 is required to be filed with the Chief Electoral Officer.*

*(2) A registered party, registered constituency association, registered candidate, registered nomination contestant or registered leadership contestant that is required to file a financial statement under section 42 or a return under section 43, 43.01, 43.02 or 43.1, and fails to file that document by the filing deadline must pay a late filing fee of \$500 to the Chief Electoral Officer.*

*(3) The Chief Electoral Officer shall not cancel the registration of the registered party or registered constituency association under section 10(3) if the financial statement or return is filed in the case of a financial statement referred to in section 42 or a return referred to in section 43, no later than 30 days after the filing deadline.*

*(5) The following persons are jointly and severally liable for payment of the fee referred to in subsection (2):*



**(ii) by adding the following after clause (a):**

- (a.1) in the case of a registered successor party, the registered successor party and the chief financial officer of the registered successor party;

**(14) Section 44.95 is amended by adding the following after clause (a)(i):**

- (i.1) registered successor parties, predecessor parties and constituency associations of predecessor parties;

**(15) Section 48 is amended by repealing subsections (1) and (2) and substituting the following:**

**Failure to provide financial statements and returns**

**48(1)** The chief financial officer of a registered party, registered successor party, registered constituency association or registered candidate who contravenes section 11.6, 42 or 43 is guilty of an offence and liable to a fine of not more than \$1000.

**(2)** When any contravention of section 11.6, 42 or 43 is committed by a chief financial officer of a registered party, registered successor party, registered constituency association or registered candidate, the political party or constituency association or candidate for which the chief financial officer acts is also guilty of an offence and liable,

- (a) in the case of a registered party or registered successor party, to a fine of not more than \$5000, and
- (b) in the case of a registered constituency association or registered candidate, to a fine of not more than \$1000.

- (a) *in the case of a registered party, the registered party and the chief financial officer of the registered party;*
- (b) *in the case of a registered constituency association, the registered constituency association and the chief financial officer of the registered constituency association;*
- (c) *in the case of a registered candidate, registered nomination contestant or registered leadership contestant, the registered candidate, registered nomination contestant or registered leadership contestant and the chief financial officer of the registered candidate, registered nomination contestant or registered leadership contestant.*

(14) Section 44.95 presently reads in part:

*44.95 The Election Commissioner, in addition to the Election Commissioner's powers and duties under the Election Act,*

- (a) *may conduct periodic investigations of the financial affairs and records of*
  - (i) *registered parties and registered constituency associations,*

(15) Section 48 presently reads in part:

*48(1) The chief financial officer of a registered party, registered constituency association or registered candidate who contravenes section 42 or 43 is guilty of an offence and liable to a fine of not more than \$1000.*

*(2) When any contravention of section 42 or 43 is committed by a chief financial officer of a registered party, registered constituency association or registered candidate, the political party or constituency association or candidate for which the chief financial officer acts is also guilty of an offence and liable,*

- (a) *in the case of a registered party, to a fine of not more than \$5000, and*
- (b) *in the case of a registered constituency association or registered candidate, to a fine of not more than \$1000.*

**(16) Section 48.2 is amended by adding** “registered successor party,” **after** “registered party,”.

**(17) Section 51.07 is amended**

- (a) by striking out** “Election Commissioner” **and substituting** “Chief Electoral Officer”;
- (b) by striking out** “Election Commissioner’s website” **and substituting** “Chief Electoral Officer’s website”;
- (c) by adding** “referred to in section 51.04” **after** “compliance agreement”.

**(18) Section 53 is repealed and the following is substituted:**

**Restrictions**

**53** No prosecution shall be instituted under this Act without the consent of

- (a) the Election Commissioner before the coming into force of section 153.093(1) of the *Election Act*, or
- (b) the Chief Electoral Officer after the coming into force of section 153.093(1) of the *Election Act*.

**Electronic Transactions Act**

**Amends SA 2001 cE-5.5**

**15(1)** The *Electronic Transactions Act* is amended by this section.

**(2) Section 1(1)(h)(vi) is amended by striking out** “the Election Commissioner,”.

(16) Section 48.2 presently reads:

*48.2 A registered party, registered constituency association, registered candidate, registered nomination contestant, registered leadership contestant or registered third party who fails to comply with a direction of the Chief Electoral Officer or the Election Commissioner is guilty of an offence and liable to a fine of not more than \$1000.*

(17) Section 51.07 presently reads:

*51.07 The Election Commissioner may publish a notice on the Election Commissioner's website that sets out the contracting party's name, the act or omission in question and a summary of the compliance agreement.*

(18) Section 53 presently reads:

*53 No prosecution shall be instituted under this Act without the consent of the Election Commissioner.*

## **Electronic Transactions Act**

**15(1)** Amends chapter E-5.5 of the Statutes of Alberta, 2001.

(2) Section 1(1)(h)(vi) presently reads:

*1(1) In this Act,*

*(h) "public body" means*

## Employment Pension Plans Act

Amends SA 2012 cE-8.1

**16(1)** The *Employment Pension Plans Act* is amended by this section.

**(2)** Section 1(1)(u) is repealed and the following is substituted:

- (u) “excess contributions”, in relation to a member of a pension plan, means the excess referred to in section 57(2) or (2.1), as applicable in accordance with section 57, that is attributable to that member;

**(3)** Section 57 is amended

**(a)** in subsection (1) by striking out “other than contributions applicable to and benefits under a jointly sponsored plan”;

**(b)** in subsection (2) by striking out “Subject to” and substituting “In the case of a plan other than a jointly sponsored plan, subject to”;

**(c)** by adding the following after subsection (2):

**(2.1)** In the case of a jointly sponsored plan, subject to subsections (3), (5), (6) and (7), if the total of

(a) the contributions made by a member of the plan on and after January 1, 1992, and

(b) the interest that has accrued on those contributions

exceeds the commuted value of the member’s benefit that relates to his or her membership in the plan during the period in which the member was required to make contributions on and after January 1, 1992, the excess must be allocated or distributed in the manner required under subsection (4).

- (vi) *the office of the Auditor General, the Ombudsman, the Chief Electoral Officer, the Election Commissioner, the Ethics Commissioner, the Information and Privacy Commissioner, the Child and Youth Advocate or the Public Interest Commissioner, or*

### **Employment Pension Plans Act**

16(1) Amends chapter E-8.1 of the Statutes of Alberta, 2012.

(2) Section 1 presently reads in part:

*1(1) In this Act,*

- (u) *"excess contributions", in relation to a member of a pension plan, means the excess referred to in section 57(2) that is attributable to that member;*

(3) Section 57 presently reads in part:

*57(1) This section applies to contributions applicable to, and to benefits under, a benefit formula provision other than contributions applicable to and benefits under a jointly sponsored plan.*

*(2) Subject to subsections (3), (5), (6) and (7), if the total of*

- (a) the contributions made by a member of a pension plan on and after January 1, 1987, and*

*(b) the interest that has accrued on those contributions*

*exceeds 1/2 of the commuted value of that portion of the member's benefit that relates to his or her membership in the plan during the period in which the member was required to make contributions on and after January 1, 1987, the excess must be allocated or distributed in the manner required under subsection (4).*

*(3) Subsection (2) does not apply to the following contributions or to the benefits resulting from them:*

*(a) additional voluntary contributions;*

*(b) optional ancillary contributions;*



- (c) contributions made to secure improvements in, or to purchase, benefits related to past service before or after the initial legislation date if the benefit improvement is provided entirely from the member's contributions;
  - (d) contributions made by an active member of a collectively bargained multi-employer plan in any fiscal year of the plan to increase the pension to which the member is entitled up to the maximum allowed for that year.
- (4) Subject to subsection (6), if the excess referred to in subsection (2) exists at one of the prescribed times, the excess must be allocated or distributed in whichever of the following manners the member elects:
- (a) paid as a lump sum to the member or to a person who is to receive a benefit under section 89;
  - (b) transferred to another pension plan, if and to the extent that the other plan allows the transfer;
  - (c) transferred to an RRSP or an RRIF;
  - (d) transferred to an insurance company to purchase a deferred pension;
  - (e) used to increase the amount of the pension, if and to the extent that the plan text document of the pension plan provides for that election.
- (5) If the plan text document of a pension plan contains a benefit formula provision, the plan text document may provide, in relation to deferred members to whom the excess referred to in subsection (2) is to be allocated or distributed under subsection (4), that if such a member's pension commencement date does not immediately follow the termination of his or her active membership or the conversion of the benefit formula provision to a defined contribution provision, the excess
- (a) is to be recalculated as of the member's pension commencement date, and
  - (b) is not to be allocated or distributed until that recalculation is done.
- (6) If a member to whom the excess referred to in subsection (2) is to be allocated or distributed dies before reaching his or her pension



- (d) in subsection (3) by striking out “Subsection (2) does” and substituting “Subsections (2) and (2.1) do”;
- (e) in subsections (4), (5) and (6) by striking out “subsection (2)” and substituting “subsection (2) or (2.1), whichever is applicable,”.

#### Financial Administration Act

Amends RSA 2000 cF-12

17(1) The *Financial Administration Act* is amended by this section.

(2) Section 1(1) is amended by repealing clauses (f)(vii.1) and (u)(vii.1).

*commencement date, the excess must be allocated or distributed as follows:*

*(a) if there is a surviving pension partner and both of the following apply:*

*(i) the pension partner had not provided a waiver under section 89(1)(b) before the member's death, and*

*(ii) section 84 does not apply to the pension partner,*

*the excess must be allocated or distributed in whichever of the manners referred to in subsection (4)(a) to (e) that the pension partner elects;*

*(b) if there is a surviving pension partner to whom clause (a) does not apply, or if there is no surviving pension partner, the excess must be provided*

*(i) to the designated beneficiary, or*

*(ii) if there is no designated beneficiary living, to the personal representative of the member's estate in that person's capacity as personal representative.*

### **Financial Administration Act**

**17(1)** Amends chapter F-12 of the Revised Statutes of Alberta 2000.

(2) Section 1(1) presently reads in part:

*1(1) In this Act,*

*(f) "department" means*

*but does not include*

*(vii.1) the Office of the Election Commissioner,*

*(u) "public official" means*

*(vii.1) the Election Commissioner,*

**(3) Section 29 is amended by repealing clauses (b)(iv.1), (c)(iv.1) and (d)(iv.1).**

**(4) Section 76(11)(a)(ii) is amended by striking out “the Office of the Election Commissioner,”.**

(3) Section 29 presently reads in part:

*29 In this Part,*

*(b) "department" includes*

*(iv.1) the Office of the Election Commissioner,*

*(c) "department head" includes*

*(iv.1) the Election Commissioner with respect to the Office of the Election Commissioner,*

*(d) "deputy head" includes*

*(iv.1) the Election Commissioner with respect to the Office of the Election Commissioner,*

(4) Section 76(11)(a)(ii) presently reads:

*(11) For the purposes of this section, participants include the following:*

*(a) unless the Treasury Board prescribes otherwise,*

*(ii) the Legislative Assembly Office, the Office of the Auditor General, the Office of the Information and Privacy Commissioner, the Office of the Ombudsman, the Office of the Chief Electoral Officer, the Office of the Election Commissioner, the Office of the Ethics Commissioner, the Office of the Child and Youth Advocate and the Office of the Public Interest Commissioner;*

**Freedom of Information and  
Protection of Privacy Act**

**Amends RSA 2000 cF-25**

**18(1)** The *Freedom of Information and Protection of Privacy Act* is amended by this section.

**(2)** Section 1 is amended

- (a) in clause (m) by striking out “the Election Commissioner,”;
- (b) in clause (p)(vi) by striking out “the Election Commissioner,”.

**Health Professions Act**

**Amends RSA 2000 cH-7**

**19(1)** The *Health Professions Act* is amended by this section.

**(2)** Section 51(1)(a) is amended by striking out “as defined in the *Social Care Facilities Review Committee Act*” and substituting “as defined in section 1(1)(f.1)(ii) and (iii) of the *Protection for Persons in Care Act*”.

## Freedom of Information and Protection of Privacy Act

18(1) Amends chapter F-25 of the Revised Statutes of Alberta 2000.

(2) Section 1 presently reads in part:

*1 In this Act,*

(m) *"officer of the Legislature" means the Auditor General, the Ombudsman, the Chief Electoral Officer, the Election Commissioner, the Ethics Commissioner, the Information and Privacy Commissioner, the Child and Youth Advocate or the Public Interest Commissioner;*

(p) *"public body" means*

(vi) *the office of the Auditor General, the Ombudsman, the Chief Electoral Officer, the Election Commissioner, the Ethics Commissioner, the Information and Privacy Commissioner, the Child and Youth Advocate or the Public Interest Commissioner, or*

## Health Professions Act

19(1) Amends chapter II-7 of the Revised Statutes of Alberta 2000.

(2) Section 51(1)(a) presently reads:

*51(1) In this section, "publicly funded facility" means an institution or facility where professional services are provided and that*

(a) *is an approved hospital as defined in the Hospitals Act, a nursing home as defined in the Nursing Homes Act, a correctional institution as defined in the Corrections Act, a facility as defined in the Mental Health Act, a diagnostic or treatment centre made available under section 49(b) of the Mental Health Act, a facility as defined in the Social Care Facilities Review Committee Act or an institution or facility operated by or approved by the Minister of Health, or*

## Historical Resources Act

### Disestablishment of Fund

**20(1)** The Historic Resources Fund is disestablished.

**(2)** The assets of the Historic Resources Fund shall be held in, and the Fund's liabilities shall be assumed by, the General Revenue Fund.

### Dissolution of Foundation

**21(1)** The Alberta Historical Resources Foundation is dissolved.

**(2)** On the coming into force of subsection (1), the following applies:

- (a)** the property, assets, rights, obligations, liabilities, powers, duties and functions of the Alberta Historical Resources Foundation become the property, assets, rights, obligations, liabilities, powers, duties and functions of the Crown in right of Alberta;
- (b)** an existing cause of action, claim or liability to prosecution of, by or against the Alberta Historical Resources Foundation is unaffected by the coming into force of this section and may be continued by or against the Crown in right of Alberta;
- (c)** a civil, criminal or administrative action or proceeding pending by or against the Alberta Historical Resources Foundation may be continued by or against the Crown in right of Alberta;
- (d)** a ruling, order or judgment in favour of or against the Alberta Historical Resources Foundation may be enforced by or against the Crown in right of Alberta.

**(3)** Subsection (2)(a) does not give rise to a termination right, remedy or penalty under the provisions of a contract, agreement or grant to which the Alberta Historical Resources Foundation is a party immediately before the coming into force of this section, and such contracts, agreements or grants continue to have full effect as contracts, agreements or grants of the Crown in right of Alberta.

## Historical Resources Act

20 Disestablishment of Fund.

21 Dissolution of Foundation.



**Transitional regulations**

**22(1)** The Lieutenant Governor in Council may make regulations

- (a) respecting the transition of any of the powers, duties and functions of the Alberta Historical Resources Foundation on its dissolution;
- (b) to remedy any confusion, difficulty, inconsistency or impossibility resulting from the dissolution of the Alberta Historical Resources Foundation.

(2) A regulation made under subsection (1) may be made retroactive to the extent set out in the regulation.

**Amends RSA 2000 cH-9**

**23(1)** The *Historical Resources Act* is amended by this section.

**(2)** Section 1(c) is repealed.

**(3)** Part 2 is repealed.

**(4)** Section 18 is amended

**(a)** in subsection (1)

**(i)** by striking out “or” at the end of clause (b);

**(ii)** by repealing clause (c) and substituting the following:

(c) was approved or changed before March 31, 2020 by the Alberta Historical Resources Foundation pursuant to this Act, or

(d) is approved or changed by the Minister pursuant to subsection (2),

**22** Transitional regulations.

**23(1)** Amends chapter II-9 of the Revised Statutes of Alberta 2000.

(2) Section 1(c) presently reads:

*1 In this Act,*

*(c) "Foundation" means The Alberta Historical Resources Foundation;*

(3) Repeals Part 2.

(4) Section 18 presently reads:

*18(1) The name of any place or other geographical feature in Alberta that*

*(a) was approved after March 31, 1949 and before January 1, 1975 by the Geographic Board of Alberta under The Geographical Names Act, RSA 1970 c159,*

*(b) was approved or changed after December 31, 1974 by the Historic Sites Board pursuant to this Act, or*

*(c) is approved or changed by the Foundation pursuant to subsection (2),*

*is the authorized name of that place or feature for all purposes.*

(b) **in subsection (2) by striking out** “The Foundation may, with the consent of the Minister,” **and substituting** “The Minister may”;

(c) **by repealing subsection (3) and substituting the following:**

(3) When the Minister approves the name or changes the name of any place or other geographical feature under this section, the Minister shall publish in The Alberta Gazette a notice setting out the name approved or the change of name and the location of the place or other geographical feature to which the name applies.

(d) **by repealing subsection (4).**

**(5) Section 20 is amended**

(a) **in subsection (4) by striking out** “the Foundation” **and substituting** “the Minister”;

(b) **by repealing subsection (5) and substituting the following:**

(5) At the conclusion of the 30-day period, the Minister shall notify all persons who have advised the Minister of their intention to make representations of a date fixed by the Minister for the hearing of the representations, which must be not fewer than 15 days prior to the date on which the Minister proposes to make the designation.

(c) **by repealing subsection (6) and substituting the following:**

(6) The Minister, after considering any representations made at the hearing referred to in subsection (5), may make an order under subsection (1) and as soon as possible after making the order the Minister shall

*(2) The Foundation may, with the consent of the Minister, approve a name for, or approve a change of the name for, any place or other geographical feature in Alberta.*

*(3) When the Foundation approves the name or changes the name of any place or other geographical feature under this section, a notice signed by the secretary of the Foundation setting out the name approved or the change of name and the location of the place or other geographical feature to which the name applies shall be published by the secretary in The Alberta Gazette.*

*(4) The Minister may make regulations*

*(a) prescribing standards and guidelines for the approval of names and changes of names by the Foundation;*

*(b) prescribing the duties of the Foundation with respect to nomenclature;*

*(c) governing and requiring consultation by the Foundation with any department, municipality, person or body of persons concerning the naming of, or the changing of the name of, any place or other geographical feature.*

*(5) Section 20 presently reads in part:*

*(4) Any interested person may, within 30 days after the publication of the notice in The Alberta Gazette, advise the Foundation that the person wishes to make representations concerning the proposed designation.*

*(5) At the conclusion of the 30-day period, the Foundation shall notify all persons who have advised the Foundation of their intention to make representations of a date fixed by the Foundation for the hearing of the representations, which must be not fewer than 15 days prior to the date on which the Minister proposes to make the designation, and the Foundation may, after hearing the representations, make recommendations to the Minister as to the proposed designation.*

*(6) If no representations are made or if the Foundation after hearing any representations recommends that the Minister proceed with the proposed designation, the Minister may proceed to make the order under subsection (1) and as soon as possible after making the order the Minister shall*

- (a) serve a copy of the order on the owner of the historic resource and on the owner of any land that is subject to the order,
- (b) publish a notice of the designation, including a description of the historic resource and any land that is subject to the order, in The Alberta Gazette, and
- (c) if the order relates to or includes any land, cause a certified copy of the order to be registered in the appropriate land titles office.

**(6) Section 29(1) is amended**

- (a) by adding “or” at the end of clause (b);
- (b) by repealing clause (c).

**(7) Part 4 is repealed.**

**Coming into force**

**24 Sections 14 to 17 have effect on March 31, 2020.**

- (a) *serve a copy of the order on the owner of the historic resource and on the owner of any land that is subject to the order,*
- (b) *publish a notice of the designation, including a description of the historic resource and any land that is subject to the order, in The Alberta Gazette, and*
- (c) *if the order relates to or includes any land, cause a certified copy of the order to be registered in the appropriate land titles office.*

(6) Section 29(1) presently reads:

*29(1) A condition or covenant, relating to the preservation or restoration of any land or building, entered into by the owner of land and*

- (a) the Minister,*
- (b) the council of the municipality in which the land is located,*
- (c) the Foundation, or*
- (d) an historical organization that is approved by the Minister,*

*may be registered with the Registrar of Land Titles.*

(7) Repeals Part 4.

**24** Coming into force.

**Joint Governance of Public  
Sector Pension Plans Act**

Amends SA 2018 cJ-0.5

**25(1)** The *Joint Governance of Public Sector Pension Plans Act* is amended by this section.

**(2)** Schedule 1 is amended

**(a)** in section 1(1)

**(i)** by renumbering clause (a) as clause (a.1) and adding the following before clause (a.1):

(a) “active member” has the same meaning as under the EPPA;

**(ii)** by repealing clause (e) and substituting the following:

(c) “employee organization” means

(i) an organization referred to in section 4(1)(a)(i) to (v), and includes a successor to any of those organizations, and

(ii) the Corporation, solely in its capacity of appointing a member of the Sponsor Board under section 4(1)(a)(vi) and nominating an individual for appointment to the board of directors under section 20(2);

**(iii)** by adding the following after clause (k):

(k.1) “non-union employee” means an individual who is an active member of the Plan and who, at the relevant time, is not included in a bargaining unit or any other unit for collective bargaining;

**(b)** in section 4

**(i)** in subsection (1)(a)

**(A)** in subclause (ii) by striking out “2 members” and substituting “one member”;

**Joint Governance of Public  
Sector Pension Plans Act**

25(1) Amends chapter J-0.5 of the Statutes of Alberta, 2018.

(2) Schedule 1 presently reads in part:

*1(1) In this Schedule,*

- (a) "board of directors" means the board of directors of the Corporation;*
- (e) "employee organization" means an organization referred to in section 4(1)(a), and includes a successor to any of those organizations;*
- (k) "Minister" means the Minister responsible for the former Act, and includes, where the context permits, the Crown;*

*4(1) Except as otherwise provided in rules made by the Sponsor Board under section 8(2)(a), the Sponsor Board consists of the following members appointed by the following organizations:*

- (a) 6 employee representatives appointed as follows:*
  - (ii) 2 members appointed by The Alberta Union of Provincial Employees;*
  - (v) one member appointed by the United Nurses of Alberta;*

*(3) A sponsor organization appoints a member of the Sponsor Board by giving notice to the Corporation.*

*(4) A sponsor organization that has the power to appoint a member of the Sponsor Board may by notice to the Corporation remove and replace that member.*

*8(1) The Sponsor Board shall make rules*

- (a) establishing a process for recruiting directors that provides for consultation among sponsor organizations with the objective of achieving on the board of directors of the Corporation*
  - (i) a suitable mix of competencies,*



**(B) by adding the following after subclause (v):**

- (vi) in accordance with subsection (5), one member appointed by the Corporation to represent non-union employees;
- (ii) **in subsection (3) by striking out** “A sponsor organization” **and substituting** “Subject to subsection (5), a sponsor organization”;
- (iii) **in subsection (4) by striking out** “A sponsor organization” **and substituting** “Subject to subsection (6), a sponsor organization”;
- (iv) **by adding the following after subsection (4):**

(5) The Corporation must recruit and appoint the member referred to in subsection (1)(a)(vi) according to a process developed under section 16(3)(d.1) that identifies suitable candidates who are non-union employees or who have a connection with non-union employees.

(6) The member referred to in subsection (1)(a)(vi)

- (a) shall be appointed for a term of 3 years, and
- (b) may be removed by the Corporation only by unanimous resolution of the board of directors.

(7) On the resignation or expiry of the term of a member appointed under subsection (1)(a)(vi), the vacancy shall be filled by the Corporation as soon as reasonably practicable.

**(c) in section 8**

- (i) **by repealing subsection (1)(a);**
- (ii) **in subsection (3), by renumbering clause (a) as clause (a.1) and adding the following before clause (a.1):**
  - (a) excludes an appointment under section 4(1)(a)(vi),
- (iii) **in clause (a.1) by striking out “excludes” and substituting** “subject to clause (a), excludes”;

(ii) a diversity of perspectives, and

(iii) gender balance,

as defined or determined in accordance with the rules;

(3) The Sponsor Board shall not make a rule under subsection (2)(a) that

(a) excludes a sponsor organization from making an appointment unless the organization has

13 The Auditor General is not the auditor of the Corporation or the Plan.

14 The Corporation is not for the purposes of any enactment a Provincial corporation as defined in the Financial Administration Act or a public agency as defined in the Alberta Public Agencies Governance Act.

16(1) The Corporation, on becoming the trustee of the plan fund under section 26, is responsible for

(a) the plan fund, including investment of the assets of the plan fund, and

(b) making payments from the plan fund in respect of plan costs.

(3) Without limiting the responsibilities of the Corporation under subsections (1) and (2), and for greater certainty, the roles, responsibilities and authorities of the Corporation extend to and include the following:

(d) ensuring that the Plan complies with all applicable provincial and federal legislation;

(e) if, in the assessment of the Corporation, the Council of Post-secondary Presidents of Alberta is no longer a suitable representative organization, designating another organization representing post-secondary institutions participating in the Plan for the purposes of section 4(1)(b)(ii);

17(1) The Corporation must, through a services agreement, engage Alberta Pensions Services Corporation as the exclusive provider to the Corporation of pension administration services for a period of at least 5 years commencing on the transition date.

(d) by repealing sections 13 and 14;

(e) in section 16(3)

(i) by adding the following after clause (d):

(d.1) for the purpose of section 4(5), developing a process for the recruitment and appointment of an individual to the Sponsor Board to represent non-union employees;

(d.2) for the purpose of section 20(2), developing a process for the recruitment and nomination of an individual to the board of directors;

(ii) in clause (e) by striking out “section 4(1)(b)(ii)” and substituting “section 4(1)(b)(ii)(B)”;

(f) by repealing section 17 and substituting the following:

**Agreement for pension administration services**

**17(1)** The Corporation must, through a services agreement, engage Alberta Pensions Services Corporation as the exclusive provider to the Corporation of pension administration services.

(2) If at any time there is no subsisting services agreement under subsection (1), the Minister may, by order, specify the terms and conditions in accordance with which Alberta Pensions Services Corporation must provide pension administration services to the Corporation.

(3) An order under subsection (2) has effect until the Corporation and Alberta Pensions Services Corporation enter into a services agreement under subsection (1).

**Agreement for investment management services**

**17.1(1)** The Corporation is a designated entity under section 6(1) of the *Alberta Investment Management Corporation Act* in respect of the plan fund.

(2) Subject to subsections (3) and (4), the Corporation must, through an investment management agreement,

*(2) The Corporation must, through an investment management agreement, engage Alberta Investment Management Corporation as the exclusive provider to the Corporation of investment management services for a period of at least 5 years commencing on the transition date.*

*(3) The Corporation may arrange for the plan fund or any part of it to be held in the nominee name of an investment manager and in that event*

*(a) the investment manager shall hold such assets as bare trustee, and*

*(b) such an arrangement shall not limit the role and responsibility of the Corporation as trustee of the plan fund.*

*19(1) The Corporation is governed by a board of directors appointed under section 20.*

*(4) The board of directors shall appoint an auditor for the Corporation.*

*20(1) Subject to section 21, a sponsor organization that has authority under section 4(1), or under rules made by the Sponsor Board under section 8(2)(a), to appoint one or more members of the Sponsor Board may appoint the same number of members to the board of directors.*

*(2) To be eligible to become or remain a director, an individual*

*(a) must be at least 18 years of age, and*

*(b) must not be a member of the Sponsor Board.*

*(3) Before appointing a director, a sponsor organization shall comply with any applicable rules made by the Sponsor Board under section 8(1)(a).*

*(4) A sponsor organization appoints a director by giving notice to the Corporation.*

*(5) A sponsor organization that has authority to appoint a director may by notice to the Corporation terminate the appointment of the relevant director.*

- (a) engage Alberta Investment Management Corporation as the exclusive provider to the Corporation of investment management services in respect of the plan fund, and
- (b) ensure that all investments of the plan fund are managed by Alberta Investment Management Corporation.

(3) The Corporation may exclude investments of the plan fund from an investment management agreement under subsection (2) if the funds invested are reasonably required to meet the expected current liabilities and operating expenses of the Corporation.

(4) The Minister may, by order, authorize the Corporation to exclude from an investment management agreement under subsection (2), for a fixed or indefinite period of time, specific investments or classes of investments of the plan fund but such investments must not make up more than 10% of the total value of the Corporation's investments at the time the order is made, excluding investments made under subsection (3).

(5) The Corporation may arrange for the plan fund or any part of it to be held in the nominee name of Alberta Investment Management Corporation, who must hold the assets as bare trustee.

(6) The arrangement made under subsection (5) shall not limit the role and responsibility of the Corporation as trustee of the plan fund.

(g) by repealing section 19(4);

(h) by repealing section 20 and substituting the following:

**Appointment of directors**

**20(1)** Subject to subsections (2) to (6), the Lieutenant Governor in Council shall appoint the members of the board of directors, and the board of directors shall consist of the same number of individuals that may be appointed to the Sponsor Board.

*(6) The Sponsor Board may by resolution and subsequent notice to the Corporation terminate the appointment of a director for misconduct while serving as a director.*

*21 Where an employer organization referred to in section 4(1)(b)(ii), (iii) or (iv) has authority to appoint a member of the Sponsor Board, the other employer organization referred to in section 4(1)(b)(ii), (iii) or (iv) has the authority to appoint a director to the board of directors under section 20.*

*22(1) A director shall be appointed for a fixed term not exceeding 3 years and may be reappointed.*

*(3) A director ceases to hold office when*

*(b) the director's appointment is terminated under section 20(5) or (6).*

*23(1) The board of directors may make bylaws governing the business and affairs of the Corporation, including bylaws*

*(c) specifying the majority required for passing resolutions of the board of directors;*

*(2) To the extent the board of directors has not made bylaws under subsection (1) that are applicable, the following provisions govern:*

*(a) if the board of directors has not made a bylaw with respect to the designation of a chair and a vice-chair of the board of directors, the directors appointed by the employer organizations shall designate the chair and the directors appointed by the employee organizations shall designate the vice-chair, and the power to designate the chair and vice-chair shall rotate 3 years after the transition date and every 3 years after that period between the directors appointed by the employee organizations and the directors appointed by the employer organizations;*

*(c) if the board of directors has not made a bylaw with respect to the majority required to pass resolutions of the board of directors, a resolution is passed if it is approved by a majority of the directors present at the meeting;*

*(d) if the board of directors has not made a bylaw with respect to quorum, a majority of the directors appointed by the*

(2) Subject to section 21, a sponsor organization that has authority under section 4(1), or under rules made by the Sponsor Board under section 8(2)(a), to appoint one or more members of the Sponsor Board must nominate the same number of individuals for appointment to the board of directors.

(3) On a vacancy, or prior to an expected vacancy, of a director position, the sponsor organization that is responsible for nominating to that position must, as soon as reasonably practicable, submit a nomination in writing to the Minister for consideration by the Lieutenant Governor in Council.

(4) In making an appointment, the Lieutenant Governor in Council shall have regard to the desirability of having a board of directors that is comprised of individuals who, in the aggregate, have the full range of skills, knowledge and experience necessary to be able to effectively lead the Corporation in carrying out its roles, responsibilities and authorities under this Schedule.

(5) If the Lieutenant Governor in Council rejects a nomination made by a sponsor organization, the sponsor organization must submit a new nomination in accordance with subsection (3).

(6) To be eligible to become or remain a director, an individual

(a) must be at least 18 years of age, and

(b) must not be a member of the Sponsor Board.

(i) **by repealing section 21 and substituting the following:**

**Rotational appointments and nominations**

**21** Where an employer organization referred to in section 4(1)(b)(ii), (iii) or (iv) has authority to appoint a member of the Sponsor Board, the other employer organization referred to in the applicable subclause of that subsection has the authority to nominate an individual to the board of directors under section 20(2).

(j) **in section 22(3)(b) by striking out** “under section 20(5) or (6)”;

*employee organizations and a majority of the directors appointed by the employer organizations constitute quorum.*

*28(1) As of the transition date, members participating in the Plan immediately prior to the transition date continue as members of the Plan.*

*(4) Subject to subsection (5), as of the transition date, the policies of participating employers in respect of the participation in the Plan of its employees whose aggregate of regularly scheduled hours of work is at least 14 hours per week or 728 hours per year, but is less than 30 hours per week, shall continue to apply, and shall not be amended, for a period of 3 years after the transition date.*

*30(1) In this section,*

*(a) "successor employer" means a legal entity that*

*(i) due to one of the following events occurring after the transition date, becomes the employer of one or more employees who were active members of the Plan immediately prior to the event:*

*(A) the merger of a participating employer with another legal entity;*

*(B) the continuation of a participating employer as the legal entity;*

*(C) the transfer or assignment of all or a divisible part of the activities or undertakings of a participating employer to the legal entity,*

*and*

*(ii) was not a participating employer prior to the event described in subclause (i);*

*(b) "succession event" means the occurrence of an event described in clause (a)(i).*

*(2) On a succession event,*

*(a) subject to any rules made by the Sponsor Board under section 9 and any prior contrary determination by the Sponsor Board, a successor employer becomes a participating employer, and*



(k) in section 23

(i) in subsection (1) by repealing clause (e) and substituting the following:

- (e) subject to section 4(6)(b), specifying the majority required for passing resolutions of the board of directors;

(ii) in subsection (2)

(A) by repealing clause (a) and substituting the following:

- (a) if the board of directors has not made a bylaw with respect to the designation of a chair and a vice-chair of the board of directors, the Minister shall designate the chair and the vice-chair;

(B) by repealing clause (c) and substituting the following:

- (c) if the board of directors has not made a bylaw with respect to the majority required to pass resolutions of the board of directors, then subject to section 4(6)(b), a resolution is passed if it is approved by a majority of the directors present at the meeting;

(C) in clause (d) by striking out "appointed by the employee organizations and a majority of the directors appointed by the employer organizations constitute" and substituting "constitutes";

(l) in section 28 by repealing subsection (4) and substituting the following:

(4) Subject to subsection (5), as of the transition date, the policies of participating employers in respect of the participation in the Plan of its employees

- (a) who are included in a bargaining unit or any other unit for collective bargaining, and

- (b) *if clause (a) applies, the following employees of the successor employer continue or become members of the Plan:*
    - (i) *employees who were active members of the Plan immediately prior to the succession event;*
    - (ii) *if a majority of the employees of the successor employer, taking into account the employees referred to in subclause (i), are active members of the Plan, all of the remaining employees who are eligible in accordance with the plan text, unless otherwise determined by the Sponsor Board.*
- (3) *If a successor employer becomes a participating employer in accordance with subsection (2)(a), but subsection (2)(b)(ii) does not apply, then notwithstanding the EPPA, the provisions of plan text and any rules made by the Sponsor Board, employees of a successor employer, other than those described in subsection (2)(b)(i), shall not be members of the Plan unless*
- (a) *their participation is approved by the successor employer and the Sponsor Board, or*
  - (b) *the participation of those employees in the Plan is mandated by any applicable law relating to collective bargaining.*
- (4) *A participating employer shall provide notice to the Corporation on becoming aware that an anticipated event or course of action involving the participating employer may constitute a succession event.*
- (5) *The Sponsor Board may retroactively revoke a successor employer's status as a participating employer if*
- (a) *neither the Sponsor Board nor the Corporation received at least 30 days' prior notice of the succession event, and*
  - (b) *notice of revocation is given to the successor employer by the later of*
    - (i) *90 days after the Sponsor Board or the Corporation received notice of the succession event, and*
    - (ii) *90 days after the succession event.*
- 33(1) *On the transition date, the Plan is deemed to be registered as a pension plan under Part 4 of the EPPA.*